

## BREWERIES JOIN IN ENFORCEMENT PLEA

Dry Leaders Receive Unexpected Aid at House Committee Hearing.

### VIOLATIONS CHARGED

'Beer for All, or Beer for None,' Is Message From Head of Big Plant.

### PHYSICIAN URGES DELAY

Tells Volstead That Near Brew Is No Better Than Near Statesmanship.

Special Despatch to THE NEW YORK HERALD.  
New York Herald Bureau, Washington, D. C., May 12.

The same ardent prohibitionists who eighteen months ago joyfully sang of the demise of John Barleycorn after passage of the Volstead law came before Congress to-day and admitted that John is showing signs of life.

To make certain of his death, they declare it to be imperative for Congress to pass the supplement to the Volstead law recently proposed by Representative Volstead. The original law has failed to make the country bone dry, they admitted.

The House Judiciary Committee to-day began hearings on the Volstead supplement, with every indication that it will be reported from committee and promptly passed through Congress. The object of the measure is to knock out the ruling of former Attorney-General Palmer that beer may be prescribed as medicine. Such prescription is prohibited absolutely by the bill. The supplement also gives to the prohibition commissioner power to stop manufacture and importation of liquors until the present supply of 40,000,000 gallons is reduced to such an extent that it will greatly restrict illegal uses of intoxicants. Other provisions place greater restrictions on the manufacture of alcoholic tonics, and extend the Volstead law to the Virgin Islands and Hawaii.

### Breweries for Enforcement.

The hearing showed some strange bedfellows. The prohibitionists found that lined up with them in opposition to lax enforcement of the prohibition laws and prescription of beer as medicine were the representatives of Anheuser-Busch, Inc., of St. Louis, and other big breweries.

Oliver T. Remmers, counsel for Anheuser-Busch, to the amazement of the prohibitionists, not only declared there was no emergency demand for beer as a medicine, but did what it never was dreamed a brewery would do—demand a Congressional investigation of the lax enforcement of the laws against the manufacture of real beer. He charged that brewers in Pennsylvania, Illinois and other States were making beer in plain violation of the law, and that the prohibition enforcement officers are doing nothing to stop it. August A. Busch, president of the company, in a telegram to the committee, opposed beer as medicine, saying it would give privileges to the rich. "Beer for all or beer for none is my motto," he said.

### Urges Delay by Congress.

Only one witness was heard in opposition to the bill, while about a dozen leaders of reform organizations testified. Dr. Davin, with resolutions from the New York Medical Association, urged that Congress delay passing the bill until the American Medical Association meets in Boston next month and determines in a scientific manner whether beer has any medicinal value.

The doctor and Mr. Volstead differed sharply as to whether near beer would not be as good for a sick man as real beer, and as to whether real beer could be made out of near beer by adding a few drops of alcohol.

"Why don't you prescribe near beer?" Mr. Volstead asked.

"It is no better than near statesmanship," Dr. Davin replied. And Mr. Volstead took the retort as an insult.

"You know, as Shakespeare said about a man, 'the elements are so mixed in him—that is a bottle of beer,'" Dr. Davin continued.

"Is not near beer made the same way as real beer?" Mr. Volstead interrupted. "Well, when you take away the spirit, what becomes of the body?" was the retort. "You cannot make real beer by adding a little alcohol. The people know the difference."

Dr. Davin said the doctors wanted Congress to await a scientific determination of the value of beer and not take the word of religious, lay and political organizations. He argued that since Congress gave doctors the right to prescribe alcohol it could not limit them as to the form of prescription—such as beer.

### Heavy Loss for Brewery.

Anheuser-Busch through its attorney said it has been penalized nearly \$5,000,000 because it has obeyed the law. The firm advocated an amendment allowing sale of 4½ per cent. beer, but said if this is not enacted beer should not be sold as medicine, and that the law should be enforced strictly.

All the prohibition leaders who testified admitted that prohibition was not being enforced and that additional law was needed.

The excuse of some, such as Ernest V. Claypool, superintendent of the Anti-Saloon League of Rhode Island, was that other laws are not enforced.

"You know that the draft law was enforced throughout the United States, but Bergdoll is in Germany and Edsel Ford did not go," he said.

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**NEW JERSEY CENTRAL**

## AMBASSADOR HARVEY WILL REMAIN 'DRY' IN ENGLAND

His Stand Based on Being Representative of Great Prohibition Country—He Also Wants to Drop Title of Colonel.

Special Cable to THE NEW YORK HERALD.  
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New York Herald Bureau, London, May 12.

George Harvey has begun his tenure of office as American Ambassador at the Court of St. James's by taking two very bold steps. He is determined, as a good American and the representative of a great prohibition country, to remain "dry" in England. Secondly, he wants to be known as Mr. Harvey—not as Col. Harvey.

This information comes from personal friends of the new Ambassador who have seen him since his arrival here.

Ambassador Harvey presented his credentials to King George to-day, riding to Buckingham Palace in a royal carriage and accompanied by Earl Curzon, British Secretary of State for Foreign Affairs; J. Butler Wright, Counselor of the American Embassy, and other embassy officials. The King had a short informal talk with Mr. Harvey, who will not make any public utterances until the Pilgrims' dinner next Thursday.

The Ambassador's friends say he believes Americans abroad must be consistent. That is why he is remaining "dry." Also that he believed "Mr." is more dignified for a true American than permitting any misconception as to titles.

## FIGHT TO DECREASE NAVY BUDGET BEGUN

Senators Borah and King Force All Items of Appropriation to Go Over.

Special Despatch to THE NEW YORK HERALD.  
New York Herald Bureau, Washington, D. C., May 12.

Persistent opposition to all increases in the naval appropriation bill recommended by the Senate Naval Affairs Committee, voiced by Senators Borah (Idaho) and King (Utah), marked consideration of the measure in the Senate to-day. It carries nearly \$500,000,000, an increase over the House bill of about \$100,000,000.

This is the beginning of the fight to decrease naval appropriations and to have an international conference on disarmament, which President Harding does not desire Congress to consider at this time.

In place of filing a minority report on the bill, Senator King, member of the Naval Committee, who opposed the increases, urged international agreements for naval disarmament, opposed continuation of the naval building program, said battleships under construction are obsolete, criticized the committee for not accepting advice of experts who commend greater development of aviation and submarine construction, and denounced the increase as wasteful, extravagant and indefensible and said that because of the large American naval building program other naval Powers were entering into a race to build greater navies.

"We are contemplating the expenditure of about \$1,000,000,000 for our army and navy under the hypocritical pretense that it is in the interest of peace," he said.

He commended the proposed amendment of Senator Borah providing for a disarmament conference, insisted that Congress to approve it was not an interference with the powers of the President and hoped that if the Senate adopted it the Executive would not feel constrained to rebuke them.

Throughout the day's session, which was opened only by a handful of Senators, Senators Borah and King, by objections, forced all items of appropriations to go over.

Parliamentary objections were made against adding new naval bases on the Pacific coast, but they were overruled by the Vice-President.

**MORE WINE GRAPES PLANTED.**  
Increase in California Exceeds 200,000 Acres.

SAN FRANCISCO, May 12.—The planting of wine grapes in California this season is without a parallel in the history of the vineyard industry, according to reports received by Acting Prohibition Director S. P. Rutter.

Mr. Rutter pointed out from the records to-day that more than 200,000 additional acres had been planted in wine grapes in this State since January 1.

## MAY REFUSE DUTCH ANY U. S. OIL RIGHTS

State Department Hints at Such Action Unless Discrimination Ends.

Special Despatch to THE NEW YORK HERALD.  
New York Herald Bureau, Washington, D. C., May 12.

The State Department to-night made public a summary of the reply of the Netherlands Government to the latest note of Secretary of State Hughes insisting on equal rights for Americans in the development of oil concessions in the Dutch East Indies as a condition on which Dutch concerns would be allowed to participate in similar development of public lands in the United States.

The Dutch Foreign Office again seeks to make it appear that no discrimination against Americans or other foreigners has taken place, but it is evident from the attitude of the State Department officials that they take a different view.

Once more the Dutch Government states that when American Minister Phillips requested last January that United States companies be permitted to participate in the Djambi concessions, the law limiting this development to Dutch concerns, which since has been passed by the Second Chamber of the Dutch Parliament, already had been drafted and the question of its approval by Parliament settled.

But in acknowledging receipt of this new note American Minister Phillips, according to the official announcement to-night, called attention of the Dutch Foreign Office to the fact he made representations on the subject of American participation prior to the introduction of the Djambi concession bill in the Netherlands Parliament.

The State Department made it clear it does not believe the principle of equal opportunity is being upheld by the Dutch Government in its East Indian colonies, even though Americans are invited to apply for other concessions, and a strong hint is thrown out that the future needs of the United States may make it necessary in the world fight for oil to adopt measures that will prevent any foreigners, especially those who themselves adopt a selfish attitude toward their own oil lands, from taking any petroleum from the lands of the United States.

### D'ANDREA DIES OF WOUND.

Chicago Political Leader's Death Is Fourth of Series.

CHICAGO, May 12.—Anthony d'Andrea, Nineteenth ward political leader, who was shot from ambush as he entered his home early Wednesday morning, died to-day.

His death brought the number of murders in the ward to four since the bitter Aldermanic primary campaign there a few months ago, in which d'Andrea was defeated by Alderman John Powers.

### APRIL MAIL RECEIPTS DROP.

WASHINGTON, May 12.—Postal receipts for April for April at fifty of the largest offices totaled \$20,592,611, a decrease of \$1,848,708, or 8.24 per cent. from last year.

## DRY VIOLATOR GETS 3 MONTHS SENTENCE

Prison Term Meted Out to D. Bernstein, Broadway Saloon Proprietor.

The longest sentence so far given here for violation of the Volstead act was pronounced yesterday by Judge Learned Hand in the Federal Court upon David Bernstein, a saloon proprietor at 681 Broadway, who was held guilty of violating an injunction issued under the prohibition law and in contempt of court for persisting in infractions of the law after his first offense. Bernstein was sentenced to three months imprisonment.

Patrons of the Beaux Arts early yesterday morning had a bit of extra cabaret when detectives raided the Sixth avenue restaurant, plucked a silver flask from under one man's swallow tail and caused an indignant woman at another table to rush from the room when the detectives approached her. She reappeared a few minutes later with a well satisfied smile. The owner of the flask, an Englishman, George Holden, was arrested and later released on bail.

Liquor valued at \$7,000, seized by the police at the Hotel Bradock about a month ago, is to be returned to the hotel by court order.

### BOOZE CONSPIRATORS FINED.

CHICAGO, May 12.—Fines of \$2,000 each were imposed to-day on William J. Trudel, George Quinn and Frank McCann, who, with "Mike de Pike" Heller and three others were found guilty last March of conspiracy to violate the prohibition laws by transporting \$175,000 worth of whiskey here from Kentucky.

## NARCOTIC FLEET TO CHASE SMUGGLERS

Two Speedy Police Boats Will Be Used to Stop Landing of Drugs.

Dr. Carlton Simon, Special Deputy Police Commissioner in charge of the narcotic division at Headquarters, announced last night that as soon as he had completed arrangements with Inspector James W. Hallock of the marine division he would add two of the fastest police boats to his equipment for running down drug smugglers and traffickers in cocaine, morphine, heroin and other drugs. Detectives of the narcotic division will be added to the crews of the boats and will operate under the direction of Lieut. J. J. Mooney of Dr. Simon's division.

Dr. Simon learned some time ago that the chief source of supply for American traffickers in habit forming drugs was the foreign dealer and that most of the drugs used here illegally were smuggled into the United States, usually being landed in launches or other small boats. With the two boats which the marine division has placed at his disposal Dr. Simon hopes to be able to keep closer track of the smugglers and to prevent much of the smuggling now being done.

Dr. Simon also announced that his secretary, August J. Smith, will leave for Europe soon to work out a plan of cooperation with the authorities of England, France and other European countries in an effort to prevent drug smuggling. The narcotic division has six special agents in Europe.

Agents of the Department of Justice

and detectives of the Twelfth Inspection district raided a Chinese laundry in 313 Marion street, Brooklyn, yesterday and confiscated a three pipe opium layout and raw opium and cocaine worth about \$12,000. Wing Lee and Low Ah Sing were locked up in the Ralph avenue station charged with possessing narcotics. A third Chinese, Low Tack Chong, was charged with having Chinese lottery slips in his possession.

### DRUG CONVICTIONS STAND.

Dr. D. J. Hoyt and Dr. Leopold Harris Must Serve Terms.

The conviction in the United States District Court of Dr. Daniel J. Hoyt and Dr. Leopold Harris, charged with violation of the Harrison narcotic act, was confirmed yesterday in a decision by the United States Circuit Court of Appeals. Both physicians were convicted in May, 1920, of dealing in wholesale commercial prescription of drugs.

Dr. Hoyt was sentenced to serve four years and Dr. Harris two years in the Federal penitentiary in Atlanta.

### SHAW FIGHTS RAIDERS OF HIS BACK BAY STILL

Declares Dry Agents Violated His Lawful Rights.

BOSTON, May 12.—Counsel for Louis Agassiz Shaw, in whose Back Bay home prohibition enforcement agents recently seized an elaborate still, declared in arguments before United States Commissioner Hayes to-day that Shaw's constitutional rights had been violated.

Information obtained as a result of the raid could not be used against Shaw, it was contended, because the search warrant bore the name of John Shaw, Assistant District Attorney Joseph W. Keith maintained that the Volstead enforcement act did not repeal the Internal Revenue laws, under which suspected premises could be searched without a warrant.

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